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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 TIMOTHY D. JOHNSON,

12 Plaintiff,

No. CIV S-04-0427 GEB DAD P

13 vs.

14 FOLSOM STATE PRISON, et al.,

15 Defendants.

ORDER

16 _____/
17 Plaintiff, a state prisoner proceeding pro se, has
18 filed this civil rights action seeking relief under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General
21 Order No. 262.

22 On May 13, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on all parties and
24 which contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.
26

1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings
4 and recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed May 13,
8 2005, are adopted in full;

9 2. Defendants Shepherd, Schievelbein, Rimmer, Runnels,
10 and Des Voignes' December 17, 2004 motion to dismiss is granted;
11 and

12 3. This action is dismissed.

13 Dated: July 1, 2005

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15 /s/ Garland E. Burrell, Jr.
16 GARLAND E. BURRELL, JR.
17 United States District Judge
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